



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,013	06/20/2003	Ashish Agrawal	026014-003400US	5759
20350	7590	03/13/2009	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			AHLUWALIA, NAVNEET K	
TWO EMBARCADERO CENTER				
EIGHTH FLOOR			ART UNIT	PAPER NUMBER
SAN FRANCISCO, CA 94111-3834			2166	
			MAIL DATE	DELIVERY MODE
			03/13/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/601,013	AGRAWAL ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	NAVNEET K. AHLUWALIA	2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 December 2008.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-11, 13-30 and 38-60 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-11, 13-30 and 38-60 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

1. This communication is in response to the Amendment filed 12/05/2008.

### ***Response to Arguments***

2. Claims 1 – 11, 13 – 30 and 38 – 60 are pending in this Office Action. After a further search and a thorough examination of the present application, claims 1 – 11, 13 – 30 and 38 – 60 remain rejected

3. Applicant's arguments with respect to claims 1 – 11, 13 – 30 and 38 – 60 have been considered but are moot in view of the new ground(s) of rejection.

4. Furthermore, the applicant states that Rorex does not teach taking into account the previously submitted queries, and the examiner would like to point out that the office action previously made and in the current office action as well Rorex is taken in combination with another reference, Glance in this case to teach the taking into consideration the previously submitted queries. For other limitations detailed citations are provided throughout the rejection below. Therefore, In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1 – 6, 9 – 11, 13 – 19, 22 – 30 and 38 – 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rorex et al ('Rorex' herein after) (US 6,876,997 B1) further in view of Natalie S. Glance ('Glance' herein after) (US 6,732,088 B1).

With respect to claim 1,

Rorex discloses a computer-based method for identifying a product relating to a web page (figure 1 and column 3 lines 9 – 15, Rorex) configured to be displayed through a first web site, the method comprising: storing in a computer system a plurality of previously submitted queries submitted through a second web site by users of the second web site, each of the previously submitted queries having a popularity (figure 2 elements 200, 202 column 6 lines 21 – 28, Rorex) value stored in the computer system; receiving at the computer system content derived from the web using the computer

system to identifying previously submitted queries (column 5 lines 52 – 57, column 12 lines 8 – 20, Rorex) that match at least a portion of the content derived from the web page, the identified previously submitted queries from the plurality of previously submitted queries (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex); using the computer system to selecting an identified previously submitted query based on the popularity value of the identified previously submitted query (figure 2 element 206 and column 6 lines 42 – 50, Rorex); using the computer system to submitting the selected previously submitted query to a product search engine to identify a product that is related to the content; and providing from the computer system information about the identified product to be displayed on the web page through the first web site (figure 2 element 208 and column 6 lines 51 – 59, Rorex).

Rorex however does not disclose the previously submitted queries explicitly as disclosed.

Glance however teaches using the previously submitted queries (Figures 1, 2, 6 – 8, column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are directed in the same field of invention namely search related database processing. Furthermore, the use of the previously submitted queries and operations by different users would help give more accurate results with more preciseness with relevant feedback (column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56, Glance).

8. Claims 2 – 10, are rejected under the same rationale as claim 1 above. For further limitations please references/citations below.

With respect to claim 2,

Rorex as modified discloses the method of claim 1 including identifying the product based on experience-based relevance of the product to the selected previously submitted query (column 2 lines 46 – 47 and column 6 lines 1 – 10, Rorex).

With respect to claim 3,

Rorex as modified discloses the method of claim 2 wherein experience-based relevance recognition is based on interactions of users with results of similar-queries similar to the selected previously submitted query (figure 5 and column 9 lines 1 – 16, Rorex).

With respect to claim 4,

Rorex as modified discloses the method of claim 1 including selecting product data for the identified product (column 4 lines 44 – 52, Rorex).

With respect to claim 5,

Rorex as modified discloses the method of claim 1 wherein the content is an article of the web page (figure 3a element 310e, Rorex).

With respect to claim 6,

Rorex as modified discloses the method of claim 1 wherein the content is a headline of the web page (figure 3a element 360e, Rorex).

With respect to claim 9,

Rorex as modified discloses the method of claim 1 wherein the content is derived from information provided by an associate of a vendor web site that sells products (figure 3a element 340 and column 7 lines 1 – 11, Rorex).

With respect to claim 10,

Rorex as modified discloses the method of claim 9 wherein the associate is compensated based on a user purchase of the identified product (figure 3a element 350a and column 7 lines 29 – 34, Rorex).

With respect to claim 11,

Rorex discloses a computer-based method for providing information about a product to be associated with content from a first system (figure 1 and column 3 lines 9 – 15, Rorex), the method comprising: storing in a computer system a plurality of previously-submitted queries submitted to a second system, each previously submitted query having a popularity of submission value stored in the computer system (figure 2 elements 200, 202 column 6 lines 21 – 28, Rorex); using the computer system to a

previously submitted query from the plurality of previously submitted queries based on a relevance of the previously submitted query to the content and the popularity of submission value of the previously submitted query (column 2 lines 46 – 47 and column 6 lines 1 – 10, Rorex); using the computer system to submit the identified previously submitted query to select a product that matches the identified previously submitted query as the product to be associated with the content; and providing from the computer system information about the selected product to be associated with the content through the first system (figure 2 element 206 and column 6 lines 42 – 50, Rorex).

Rorex however does not disclose the previously submitted queries explicitly as disclosed.

Glance however teaches using the previously submitted queries (Figures 1, 2, 6 – 8, column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are directed in the same field of invention namely search related database processing. Furthermore, the use of the previously submitted queries and operations by different users would help give more accurate results with more precision with relevant feedback (column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56, Glance).

9. Claims 13 – 19 and 22 – 25 are rejected under the same rationale as claim 11 above. For further limitations please references/citations below.

With respect to claim 13,

Rorex as modified discloses the method of claim 11 wherein the relevance of the previously submitted query to the content is based on matching phrases in the content to the previously submitted query (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex).

With respect to claim 14,

Rorex as modified discloses the method of claim 11 wherein using the computer system to identify the of queries previously submitted query involves selecting a relevant previously submitted query that is most popular (figure 2 element 206 and column 6 lines 42 – 50, Rorex).

With respect to claim 15,

Rorex as modified discloses the method of claim 11 wherein the selecting of a product includes: identifying products that match the identified previously submitted query (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex); ranking the identified products based on the experience of users who accessed results of similar queries (column 2 lines 46 – 47 and column 6 lines 1 – 10, Rorex); and selecting a high-ranking product as the product that matches the identified previously submitted query (figure 2 element 206 and column 6 lines 42 – 50, Rorex).

With respect to claim 16,

Rorex as modified discloses the method of claim 11 wherein the content is related to an article (figure 3a element 310e, Rorex).

With respect to claim 17,

Rorex as modified discloses the method of claim 16 wherein the content is a headline of the article (figure 3a element 360e, Rorex).

With respect to claim 18,

Rorex as modified discloses the method of claim 16 wherein the content is a body of the article (figure 3a element 360c and 310c, Rorex).

With respect to claim 19,

Rorex as modified discloses the method of claim 16 wherein the content is a portion of a body of the article (figure 3a element 360c and 310c, Rorex).

With respect to claim 22,

Rorex as modified discloses the method of claim 11 wherein the content is a portion of a dynamically generated web page (page 3 paragraph [0027] lines 1 – 15, Rorex).

With respect to claim 23,

Rorex as modified discloses the method of claim 11 wherein the content is provided by an associate of a vendor web site that sells products (figure 3a element 340 and column 7 lines 1 – 11, Rorex).

With respect to claim 24,

Rorex as modified discloses the method of claim 23 including providing to the associate an advertisement for the selected product (figure 3a and column 7 lines 1 – 11 and 29 – 34, Rorex).

With respect to claim 25,

Rorex as modified discloses the method of claim 24 wherein the associate is compensated based on a user purchase of the selected product (figure 3a element 350a and column 7 lines 29 – 34, Rorex).

With respect to claim 26,

Rorex discloses a method in a computer system for providing information relating to content of a first web page (figure 1 and column 3 lines 9 – 15, Rorex), the method comprising: sending the content to a web service, the web service for storing a plurality of previously submitted queries (figure 2 elements 200, 202 column 6 lines 21 – 28, Rorex), for identifying a previously submitted query from the plurality of previously

submitted queries that is related to the sent content (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex), and for selecting a product that matches the identified previously submitted query as the product to be associated with the content (figure 2 element 206 and column 6 lines 42 – 50, Rorex); receiving information relating to the product associated with the content (column 5 lines 52 – 57, column 12 lines 8 – 20, Rorex); and concurrently displaying the content and the received information to a visitor of the first web page (figure 3a).

Rorex however does not disclose the previously submitted queries explicitly as disclosed.

Glance however teaches using the previously submitted queries (Figures 1, 2, 6 – 8, column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are directed in the same field of invention namely search related database processing. Furthermore, the use of the previously submitted queries and operations by different users would help give more accurate results with more precision with relevant feedback (column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56, Glance).

10. Claims 27 – 30 are rejected under the same rationale as claim 26 above. For further limitations please references/citations below.

With respect to claim 27,

Rorex as modified discloses the method of claim 26 wherein the identifying of a previously submitted query is based on popularity of the query (figure 2 element 206 and column 6 lines 42 – 50, Rorex).

With respect to claim 28,

Rorex as modified discloses the method of claim 26 wherein the received information is product data (column 4 lines 44 – 52, Rorex).

With respect to claim 29,

Rorex as modified discloses the method of claim 26 wherein the received information is an advertisement (column 4 lines 44 – 52, Rorex and figure 3a).

With respect to claim 30,

Rorex as modified discloses the method of claim 26 wherein the web service is provided by a vendor and the content is provided by an associate of the vendor (figure 3a element 340 and column 7 lines 1 – 11, Rorex).

With respect to claim 38,

Rorex discloses a computer system for providing a query relating to content (figure 1 and column 3 lines 9 – 15, Rorex), comprising: a popularity-based query table containing previously submitted queries submitted by users of the computer system and indications of the popularity of the queries among users (figure 2 elements 200, 202

column 6 lines 21 – 28, Rorex); a component that identifies previously submitted queries of the popularity-based query table that match at least a portion of content received from a source to the computer system, the external source configured to display the content to users visiting the external source (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex) a component that selects an identified previously submitted query based on its indication of popularity as indicated by the popularity-based query table; and a component that provides information about a product, corresponding to the selected query, to be displayed with the content through the external source (figure 2 element 206 and column 6 lines 42 – 50, Rorex).

Rorex however does not disclose the previously submitted queries explicitly as disclosed.

Glance however teaches using the previously submitted queries (Figures 1, 2, 6 – 8, column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are directed in the same field of invention namely search related database processing. Furthermore, the use of the previously submitted queries and operations by different users would help give more accurate results with more precision with relevant feedback (column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56, Glance).

11. Claims 39 – 46 are rejected under the same rationale as claim 38 above. For further limitations please references/citations below.

With respect to claim 39,

Rorex as modified discloses the computer system of claim 38 including a component that submits the selected identified previously selected query to a query engine to identify information relating to the content (figure 2 element 208 and column 6 lines 51 – 59, Rorex).

With respect to claim 40,

Rorex as modified discloses the computer system of claim 39 wherein the query engine is experience-based (column 2 lines 46 – 47 and column 6 lines 1 – 10, Rorex).

With respect to claim 41,

Rorex as modified discloses the computer system of claim 39 wherein the information is product data (column 4 lines 44 – 52, Rorex).

With respect to claim 42,

Rorex as modified discloses the computer system of claim 38 wherein the content is received from an associate of a vendor's web site (figure 3a element 340 and column 7 lines 1 – 11, Rorex).

With respect to claim 43,

Rorex as modified discloses the computer system of claim 38 wherein the identifying of previously submitted queries includes identifying the longest phrases of the content that match a query (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex).

With respect to claim 44,

Rorex as modified discloses the computer system of claim 38 wherein the popularity of a query is based on when users purchase the product identified by results of the query (figure 5 and column 9 lines 1 – 16, Rorex).

With respect to claim 45,

Rorex as modified discloses the computer system of claim 38 wherein the popularity of a query is based on when users request information on a product identified by results of the query (figure 5 and column 9 lines 1 – 16, Rorex).

With respect to claim 46,

Rorex as modified discloses the computer system of claim 38 wherein the queries are submitted by users of a web site associated with the computer system (figure 2 and 3a).

With respect to claim 47,

Rorex discloses a computer-readable storage medium containing instructions for controlling a computer system to provide product data by a method comprising: using the computer system to generate a popularity-based query table containing previously submitted queries submitted by users of a vendor's web site and indications of the popularity of the queries among the users (figure 2 elements 200, 202 column 6 lines 21 – 28, Rorex); receiving at the computer system content to be displayed on an associate's web site (figure 1 and column 3 lines 9 – 15, Rorex), the associate's web site configured to concurrently display product data provided by the vendor and the content; using the computer system to identify previously submitted queries of the popularity-based query table that match the received content (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex); using the computer system to select an identified previously submitted query based on its indication of popularity as indicated by the popularity-based query table (figure 2 element 206 and column 6 lines 42 – 50, Rorex); using the computer system to submit the selected query to identify products that match the selected query (figure 2 element 208 and column 6 lines 51 – 59, Rorex); using the computer system to retrieve product data associated with an identified product (column 4 lines 44 – 52, Rorex); and sending from the computer system the retrieved product data to be displayed with the content on the associate's web site (figure 3a).

Rorex however does not disclose the previously submitted queries explicitly as disclosed.

Glance however teaches using the previously submitted queries (Figures 1, 2, 6 – 8, column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are directed in the same field of invention namely search related database processing. Furthermore, the use of the previously submitted queries and operations by different users would help give more accurate results with more precision with relevant feedback (column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56, Glance).

12. Claims 48 – 54 are rejected under the same rationale as claim 47 above. For further limitations please references/citations below.

With respect to claim 48,

Rorex as modified discloses the computer-readable storage medium of claim 47 wherein the submitting of the selected query is performed by an experience-based query engine (column 2 lines 46 – 47 and column 6 lines 1 – 10, Rorex).

With respect to claim 49,

Rorex as modified discloses the computer-readable storage medium of claim 47 wherein the identifying of queries includes identifying the longest phrases of the

received content that match a query (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex).

With respect to claim 50,

Rorex as modified discloses the computer-readable storage medium of claim 47 wherein the popularity of a query is based on when users purchase a product identified by results of the query (figure 5 and column 9 lines 1 – 16, Rorex).

With respect to claim 51,

Rorex as modified discloses the computer-readable storage medium of claim 47 wherein the popularity of a query is based on when users request information on a product identified by results of the query (figure 5 and column 9 lines 1 – 16, Rorex).

With respect to claim 52,

Rorex as modified discloses the computer-readable storage medium of claim 47 wherein the products are offered for sale by the vendor (figure 3a element 340 and column 7 lines 1 – 11, Rorex).

With respect to claim 53,

Rorex as modified discloses the computer-readable storage medium of claim 47 wherein the content is derived from a web page to be served by the associate (column 4 lines 44 – 52, Rorex and figure 3a).

With respect to claim 54,

Rorex as modified discloses the computer-readable storage medium of claim 53 wherein the associate is compensated by the vendor when a user to whom the web page is served purchases the product from the vendor (figure 3a element 350a and column 7 lines 29 – 34, Rorex).

With respect to claim 55,

Rorex discloses a computer system for identifying products related to content (figure 1 and column 3 lines 9 – 15, Rorex), comprising: means for providing a popularity-based query table containing previously submitted queries and indications of the popularity of each of the previously submitted queries (figure 2 elements 200, 202 column 6 lines 21 – 28, Rorex); means for receiving a request to identify products related to content from an external source (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex); means for selecting a previously submitted query from the popularity-based query table based on the indication of popularity of the selected previously submitted query and the received content (figure 2 element 206 and column 6 lines 42 – 50, Rorex); means for identifying products that match the selected previously submitted query (figure 2 element 204, figure 3a element 316 and column 6 lines 35 – 42, Rorex); and means for providing information about the identified products to the external source to be displayed concurrently with the content in response to receiving the request (figure 2 element 208 and column 6 lines 51 – 59, Rorex).

Rorex however does not disclose the previously submitted queries explicitly as disclosed.

Glance however teaches using the previously submitted queries (Figures 1, 2, 6 – 8, column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are directed in the same field of invention namely search related database processing. Furthermore, the use of the previously submitted queries and operations by different users would help give more accurate results with more precisionness with relevant feedback (column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56, Glance).

With respect to claim 56,

Rorex discloses a method in a computer system of a vendor for providing product data relating to content provided by an associate of the vendor, the method comprising: storing at the computer system of the vendor a plurality of previously submitted queries received by the computer system of the vendor, the queries received by users of the computer system of the vendor; receiving at the computer system of the vendor a request from the associate for product data for a product relating to content transmitted to users by a computer system of the associate; using the computer system of the vendor to identify a previously submitted query among the plurality of previously submitted queries that matches the content; using the computer system of the vendor to

execute the identified previously submitted query to identify a product that matches the identified previously submitted query; using the computer system of the vendor to retrieve product data relating to the product that matches the identified previously submitted query; and sending from the computer system of the vendor to the computer system of the associate the retrieved product data.

Rorex however does not disclose the previously submitted queries explicitly as disclosed.

Glance however teaches using the previously submitted queries (Figures 1, 2, 6 – 8, column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are directed in the same field of invention namely search related database processing. Furthermore, the use of the previously submitted queries and operations by different users would help give more accurate results with more precision with relevant feedback (column 1 lines 46 – 67 and column 2 lines 1 – 6 and 32 – 56, Glance).

13. Claims 57 – 60 are rejected under the same rationale as claim 56 above. For further limitations please references/citations below.

With respect to claim 57,

Rorex as modified discloses the method of claim 56 wherein the previously submitted query is identified based on the popularity of previously submitted queries among users (figure 2 element 206 and column 6 lines 42 – 50, Rorex).

With respect to claim 58,

Rorex as modified discloses the method of claim 56 wherein the query is not identified based on the popularity of previously submitted queries among users (column 2 lines 46 – 47 and column 6 lines 1 – 10, Rorex).

With respect to claim 59,

Rorex as modified discloses the method of claim 56 wherein the method is provided as a web service of the vendor (figure 3a element 350a and column 7 lines 29 – 34, Rorex).

With respect to claim 60,

Rorex as modified discloses the method of claim 56 wherein the product data is an advertisement for a product sold by the vendor (figure 3a element 340 and column 7 lines 1 – 11, Rorex).

14. Claims 7 – 8, 20 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rorex as modified {(US 6,876,997 B1) in combination with (US 6,732,088 B1)} as

applied to claims 1 – 6, 9 – 11, 13 – 19, 22 – 30 and 38 – 60 above, and further in view of Barsness et al ('Barsness' herein after) (US 2003/0028441 A1).

With respect to claim 7,

Rorex as modified discloses the method of claim 1 wherein the web page represents a web log (column 12 lines 38 – 48, Rorex).

Rorex as modified however does not explicitly disclose the content representing a web log.

Barsness teaches the content as a web log (page 3 paragraph [0032], Barsness).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are both targeted to marketing online. Furthermore, the web log of Barsness's invention would improve the effectiveness of marketing campaigns (page 1 paragraph [0009], Barsness).

With respect to claim 8,

Rorex as modified discloses the method of claim 1 (figure 1 and 2, Rorex) wherein the web page contains an instant messaging message.

Rorex as modified however does not explicitly disclose an instant messaging message.

Barsness teaches the web page containing an instant messaging message (page 3 paragraph [0027], Barsness).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are both targeted to marketing online. Furthermore, the web log of Barsness's invention would improve the effectiveness of marketing campaigns (page 1 paragraph [0009], Barsness).

With respect to claim 20,

Rorex as modified discloses the method of claim 11 wherein the content is a web log (column 12 lines 38 – 48, Rorex).

Rorex as modified however does not explicitly disclose the content representing a web log.

Barsness teaches the content as a web log (page 3 paragraph [0032], Barsness).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are both targeted to marketing online. Furthermore, the web log of Barsness's invention would improve the effectiveness of marketing campaigns (page 1 paragraph [0009], Barsness).

With respect to claim 21,

Rorex as modified discloses the method of claim 11 (figure 1 and 2, Rorex) wherein the content is an instant messaging message.

Rorex as modified however does not explicitly disclose an instant messaging message.

Barsness teaches the web page containing an instant messaging message (page 3 paragraph [0027], Barsness).

It would have been obvious to one of ordinary skill in the art of data processing at the time of the present invention to combine the teachings of cited references because they are both targeted to marketing online. Furthermore, the web log of Barsness's invention would improve the effectiveness of marketing campaigns (page 1 paragraph [0009], Barsness).

***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Navneet K. Ahluwalia whose telephone number is 571-272-5636.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam T. Hosain can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Navneet K. Ahluwalia/  
Examiner, Art Unit 2166

Dated: 03/10/2009

/Khanh B. Pham/  
Primary Examiner, Art Unit 2166